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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,424	05/01/2001	Joseph Lee Shriver	38190/233578	4590
826	7590	01/26/2006	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			THAI, CANG G	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/846,424	SHRIVER ET AL.	
	Examiner	Art Unit	
	Cang G. Thai	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/11/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,151,582 (HUANG ET AL).

As for Claim 1, HUANG discloses a supply chain visibility system operably connected to a network for facilitating creation of a final set of parts for each of a plurality of effectivities and coordinating a supply chain of a final set of parts, said parts supplied by a plurality of suppliers and received by at least one recipient, the supply chain visibility system comprising:

a plurality of graphical user interfaces associated with respective suppliers and the recipient and interconnected via the network, each graphical user interface capable of presenting {Column 7, Lines 8-9, wherein this reads over "key components 63 are supplied by component suppliers 64 tied to specific component supply nodes 62"}:

a configuration panel operable to display a final configuration agreed to by the suppliers and the at least one recipient, {Column 14, Lines 9-12, wherein this reads over "VMR involves formulating the contractual agreements between the enterprise and the retailers as well as determining the operating parameters such as shipment quantities and replenishment frequencies"};

a template panel operable to display a common set of parts that are common to each of the plurality of effectivities, the common set of parts being those parts necessary to assemble at least a portion of the final configuration of each of the effectivities {Column 95, Lines 43-46, wherein this reads over "the former has been obtained by having a common Decision Support System (DSS) Database 12, from which input data to the decision models are retrieved and outputs updated"};

a statement of work panel for each effectivity, each statement of work panel operable to display the final set of parts of the effectivities derived from the common set of parts, said statement of work panel also operable to display a shipping status of the final set of parts {Column 98, Lines 46-49, wherein this reads over "For the push (planning) systems a time-phased plan for the planning interval is established and replenishment is triggered based on the requirement, schedule receipt and on hand inventory"}; and

a shipment entry panel configured to receive shipping status data from the suppliers and the recipient, said shipping status data usable to update the shipping status of the final set of parts {Column 42, Lines 40-44, wherein this reads over "To verify the inventory status, the POS Data 138 can be used in combination with the

shipment data, and the inventory balance equation to compute the deduced inventory status"; and

a processing element comparing the shipping status data received by the shipment entry panel to the shipping status of the final set of parts and updating the shipping status of the parts so that the suppliers and the recipient have all ongoing view of the shipping status of the final set of parts to permit assembly of the final set of part to be planned accordingly {Column 39, Lines 27-29, wherein this reads over "the standard I/O formats will also facilitate the maintenance of the individual models and analysis routines, e.g., updating and replacement"}.

As for Claim 2, HUANG discloses the supply chain visibility system of Claim 1, further comprising an electronic mail dispatch system operable to dispatch electronic mail messages to the suppliers and the recipient, the electronic mail messages relating changes and entries submitted to via the graphical user interface {Column 91, Lines 53-55, wherein this reads over "Sophisticated dispatching policies can be implemented at the Frame Manager 24 to balance the load or improve response times"}.

As for Claim 3, HUANG discloses the supply chain visibility system of Claim 1, wherein the statement of work panel includes a plurality of fields displaying the shipping status of the final set of parts, said shipping status including a part number and an effectivity listing of each of the final set of parts {Column 39, Lines 27-29, wherein this reads over "Replenishment Orders (Receipts, In-transit, Incomplete, etc.): The detailed order status information that is recorded to capture the replenishment activities included in the program"}.

As for Claim 4, HUANG discloses the supply chain visibility system of Claim 3, wherein the shipping status further includes discrepancy information on parts received but found to be inadequate by at least one of the recipient and the receiving supplier {Column 34, Lines 1-4, wherein this reads over "Replenishment Orders (Receipts, In-transit, Incomplete, etc.): The detailed order status information that is recorded to capture the replenishment activities included in the program"}.

As for Claim 5, HUANG discloses the supply chain visibility system of Claim 3, wherein each graphical user interface further comprises a return part panel configured to receive repair information on parts being returned to one of the suppliers for repair {Column 14, Lines 26-29, wherein this reads over "When equipment fails, the failed module is replaced from the stock at the operating location 92, and the failed module is eventually sent to the repair shop 94 for repair"}.

As for Claim 6, HUANG discloses the supply chain visibility system of Claim 5, wherein said statement of work panel is configured to receive the repair information from the return part panel and to display the repair information {Column 14, Lines 32-34, wherein this reads over "during the repair process at the repair shop 94, certain repair items and components are replaced"}.

As for Claim 7, HUANG discloses the supply chain visibility system of Claim 3, wherein each graphical user interface further comprises a replacement part panel configured to receive information on parts that need to be replaced {Column 14, Lines 34-36, wherein this reads over "Based on the repair needs, repair items and components will be ordered from the sources of supply by the repair shops "}}.

As for Claim 8, HUANG discloses the supply chain visibility system of Claim 7, wherein said statement of work panel is configured to receive the replacement information from the replacement part panel and to display the replacement information {Column 14, Lines 34-36, wherein this reads over "Based on the repair needs, repair items and components will be ordered from the sources of supply by the repair shops"}.

As for Claim 9, HUANG discloses the supply chain visibility system of Claim 1, wherein each graphical user interface further comprises a shipments in transit panel operable to display the shipping status of parts sent by the suppliers but not yet received {Column 34, Lines 1-4, wherein this reads over "Replenishment Orders (Receipts, In-transit, Incomplete, etc.): The detailed order status information that is recorded to capture the replenishment activities included in the program"}.

As for Claim 10, HUANG discloses the supply chain visibility system of Claim 9, wherein said shipments in transit panel includes a link to contact information for a carrier to which the parts were submitted for shipment {Column 8, Lines 38-43, wherein this reads over "The DSS Database 12 comprises structural information (information related to relatively static information such as product groups, market groups, supply chain network, etc.), and process information (dynamic information related to demand, production plan, etc.)"}.

As for Claim 11, HUANG discloses the supply chain visibility system of Claim 1, wherein each graphical user interface further comprises an estimated completion date panel configured to receive a revised completion date for supply of at least one of the parts and to add the revised completion date to the shipping status of the statement of

work panel {Column 25, Lines 62-64, wherein this reads over “The PSI Reconciliation Activity 170 in concert with the SFP Module 132 revises the top-down forecasts and reconciles the bottom-up and top-down forecasts”}.

As for Claim 12, HUANG discloses the supply chain visibility system of Claim 1, wherein each graphical user interface further comprises a delinquency panel configured to display a list of late parts that have failed to arrive by a due date {Column 25, Lines 62-64, wherein this reads over “The PSI Reconciliation Activity 170 in concert with the SFP Module 132 revises the top-down forecasts and reconciles the bottom-up and top-down forecasts”}.

As for Claim 13, HUANG discloses the supply chain visibility system of Claim 1, wherein each graphical user interface further comprises a proposed configuration panel operable to display a proposed configuration agreed to by at least one supplier {Column 14, Lines 9-12, wherein this reads over “VMR involves formulating the contractual agreements between the enterprise and the retailers as well as determining the operating parameters such as shipment quantities and replenishment frequencies”}.

As for Claim 14, HUANG discloses the supply chain visibility system of Claim 13, wherein each graphical user interface further comprises a configuration release panel operable to change the proposed configuration, add due dates for the proposed configuration and finalize the proposed configuration into the final configuration {Column 14, Lines 16-19, wherein this reads over “Develop the replenishment plan based on factors such as sell-through and inventory information provided by the retailer, promotion activities, product availability and transportation cost trade-offs”}.

As for Claim 15, HUANG discloses the supply chain visibility system of Claim 14, further comprising an electronic mail dispatch system operable to dispatch electronic mail messages relating to the proposed configuration and the final configuration {Column 91, Lines 53-55, wherein this reads over “Sophisticated dispatching policies can be implemented at the Frame Manager 24 to balance the load or improve response times”}.

As for Claim 16, HUANG discloses a method of facilitating creation of a final set of parts for each of a plurality of effectivities and coordinating a supply chain of the final set of parts, said parts supplied by a plurality of suppliers and received by at least one recipient, each of the plurality of suppliers and the at least one recipient having a graphical user interface that is connected to and supplied information via a network, said method comprising:

displaying, using a configuration panel of each graphical user interface, a final configuration agreed to by the suppliers and the at least one recipient {Column 14, Lines 9-12, wherein this reads over “VMR involves formulating the contractual agreements between the enterprise and the retailers as well as determining the operating parameters such as shipment quantities and replenishment frequencies”};

displaying, using a template panel of each graphical user interfaces a common set of parts that are common to each of the plurality of effectivities, the common set of parts being those parts necessary to assemble at least a portion of the final configuration of each of the plurality of effectivities {Column 14, Lines 16-19, wherein this reads over “Develop the replenishment plan based on factors such as sell-through

and inventory information provided by the retailer, promotion activities, product availability and transportation cost trade-offs”};

generating a final set of parts by applying the common set of parts across each of the plurality of effectivities {Column 98, Lines 46-49, wherein this reads over “For the push (planning) systems a time-phased plan for the planning interval is established and replenishment is triggered based on the requirement, schedule receipt and on hand inventory”};

displaying, using a statement of work panel of each graphical user interface, a shipping status of the final set of parts {Column 42, Lines 40-44, wherein this reads over “To verify the inventory status, the POS Data 138 can be used in combination with the shipment data, and the inventory balance equation to compute the deduced inventory status”}; and

receiving shipping status data from the suppliers and the recipient and updating the shipping status of the final set of parts so that the suppliers and the recipient have an ongoing view of the shipping status of the final set of parts to permit assembly of the final set of parts to be planned accordingly {Column 39, Lines 27-29, wherein this reads over “the standard I/O formats will also facilitate the maintenance of the individual models and analysis routines, e.g., updating and replacement”}.

As for Claim 17, HUANG discloses the method of Claim 16, further comprising dispatching an electronic mail message to one of the suppliers and the recipient the electronic mail messages relating changes and entries submitted to via the graphical user interface {Column 91, Lines 53-55, wherein this reads over “Sophisticated

dispatching policies can be implemented at the Frame Manager 24 to balance the load or improve response times"}.

As for Claim 18, HUANG discloses the method of Claim 16, wherein displaying the shipping status includes displaying a part number, a shipping date, and a receipt date of each of the final set of parts {Column 39, Lines 27-29, wherein this reads over "Replenishment Orders (Receipts, In-transit, Incomplete, etc.): The detailed order status information that is recorded to capture the replenishment activities included in the program"}

As for Claim 19, HUANG discloses the method of Claim 18, wherein displaying the shipping status further includes displaying discrepancy information on parts received but found to be inadequate by at least one of recipient and the receiving supplier {Column 34, Lines 1-4, wherein this reads over "Replenishment Orders (Receipts, In-transit, Incomplete, etc.): The detailed order status information that is recorded to capture the replenishment activities included in the program"}.

As for Claim 20, HUANG discloses the method of Claim 18, further comprising receiving repair information on parts being returned to one of the suppliers for repair using a return part panel of each graphical user interface {Column 14, Lines 26-29, wherein this reads over "When equipment fails, the failed module is replaced from the stock at the operating location 92, and the failed module is eventually sent to the repair shop 94 for repair"}.

As for Claim 21, HUANG discloses the method of Claim 20, further comprising receiving, using the statement of work panel, the repair information from the return part

panel and displaying the repair information {Column 14, Lines 32-34, wherein this reads over “during the repair process at the repair shop 94, certain repair items and components are replaced”}.

As for Claim 22, HUANG discloses the method of Claim 18, further comprising receiving, using a replacement part panel of each graphical user interface, information on parts to be replaced {Column 14, Lines 34-36, wherein this reads over “Based on the repair needs, repair items and components will be ordered from the sources of supply by the repair shops “}.

As for Claim 23, HUANG discloses the method of Claim 22, further comprising receiving, using the statement of work panel, the replacement information from the replacement part panel and displaying the replacement information {Column 14, Lines 34-36, wherein this reads over “Based on the repair needs, repair items and components will be ordered from the sources of supply by the repair shops“}.

As for Claim 24, HUANG discloses the method of Claim 16, further comprising displaying, using a shipments in transit panel, the shipping status of parts sent by the suppliers but not yet received {Column 34, Lines 1-4, wherein this reads over “Replenishment Orders (Receipts, In-transit, Incomplete, etc.): The detailed order status information that is recorded to capture the replenishment activities included in the program“}.

As for Claim 25, HUANG discloses the method of Claim 16, further comprising receiving revised completion dates, using an estimated completion date panel of each graphical user interface, and displaying the revised completion date using the statement

of work panel {Column 25, Lines 62-64, wherein this reads over “The PSI Reconciliation Activity 170 in concert with the SFP Module 132 revises the top-down forecasts and reconciles the bottom-up and top-down forecasts”}.

As for Claim 26, HUANG discloses the method of Claim 16, further comprising displaying, using a delinquency panel of each graphical user interface, a list of late parts that have not been delivered by a due date {Column 25, Lines 62-64, wherein this reads over “The PSI Reconciliation Activity 170 in concert with the SFP Module 132 revises the top-down forecasts and reconciles the bottom-up and top-down forecasts”}.

As for Claim 27, HUANG discloses the method of Claim 16, further comprising displaying, using a proposed configuration panel of each graphical user interface, a proposed configuration agreed to by at least one supplier {Column 14, Lines 9-12, wherein this reads over “VMR involves formulating the contractual agreements between the enterprise and the retailers as well as determining the operating parameters such as shipment quantities and replenishment frequencies”}.

As for Claim 28, HUANG discloses the method of Claim 27, further comprising changing the proposed configuration, adding due dates for the parts of the proposed configuration, and finalizing the proposed configuration using a configuration release panel of each graphical user interface {Column 14, Lines 16-19, wherein this reads over “Develop the replenishment plan based on factors such as sell-through and inventory information provided by the retailer, promotion activities, product availability and transportation cost trade-offs”}.

As for Claim 29, HUANG discloses the method of Claim 28, further comprising dispatching an electronic mail message relating to the proposed configuration and the final configuration {Column 91, Lines 53-55, wherein this reads over "Sophisticated dispatching policies can be implemented at the Frame Manager 24 to balance the load or improve response times"}.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I. U.S. Patent:

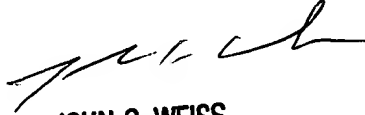
- 1) U.S. Patent No. 5,914,878 (YAMAMOTO ET AL) is cited to teach raw materials ordering system,
- 2) U.S. Patent No. 5,712,989 (JOHNSON ET AL) is cited to teach just-in-time requisition and inventory management system, and
- 3) U.S. Patent No. 5,630,070 (DIETRICH ET AL) is cited to teach optimizing of manufacturing resource planning.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
01/11/2006


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TECHNOLOGY CENTER 3600